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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/641,031	08/16/2000	Arvind A. Raichur	30874-UT	3761
5179	7590	11/08/2005	EXAMINER	
PEACOCK MYERS, P.C.			SMITH, PETER J	
201 THIRD STREET, N.W.			ART UNIT	
SUITE 1340			PAPER NUMBER	
ALBUQUERQUE, NM 87102			2176	

DATE MAILED: 11/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/641,031

Applicant(s)

RAICHUR ET AL.

Examiner

Peter J. Smith

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: RCE amendment filed 8/29/2005.
2. Claims 1-24 are pending in the case. Claims 1, 9, and 17 are independent claims.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. **Claims 1, 5-9, 13-17, and 21-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jacobson et al. (hereinafter "Jacobson"), US 5,970,489 filed 5/20/1997 in view of Fields et al. (hereinafter "Fields"), US 6,338,059 B1 filed 12/17/1998.**

Regarding independent claims 1, 9, and 17, Jacobson teaches providing an index server maintaining a permanent but dynamic index to hypertext transmission protocol pages and

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employing a hierarchical plurality of topic categories whose contents are maintained and updated by the index server in fig. 1, col. 1 lines 52-63, and col. 2 line 33 – col. 3 line 50. Jacobson teaches permitting a user to specify any subset of the plurality of topic categories in fig. 1, 2, col. 3 line 1 – col. 5 line 15. Jacobson teaches a user controlling information permitting execution of searches of the index server in any category of the subset but only categories of the subset in fig. 3, col. 5 lines 16-46, and col. 8 line 3 – col. 11 line 26.

Jacobson does not teach adding the search information into a link that can be incorporated into a hypertext transmission protocol page. Fields does teach adding search information into a link that can be incorporated into a hypertext transmission protocol page in col. 1 line 65 – col. 2 line 17 and col. 3 lines 5-22. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined Jacobson and Fields to have created the claimed invention. It would have been obvious and desirable to have implemented the user-definable region-set focused, keyword searching of Jacobson into a hyperlink as taught by Fields to have facilitated a user's search of an index as taught by Fields in col. 2 line 1-6 and col. 5 lines 26-33 and as taught by Jacobson in col. 1 lines 43-49 and col. 11 lines 19-27.

Regarding dependent claims 5, 13, and 21, Jacobson teaches allowing the user to rename one or more categories of the subset as it will appear on the hypertext transmission protocol page controlled by the user in fig. 1, 2, and col. 3 line 1 – col. 5 line 15.

Regarding dependent claims 6, 14, and 22, Jacobson teaches allowing the user to rearrange hierarchicalization of one or more categories of the subset as it will appear on the

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hypertext transmission protocol page controlled by the user in fig. 1, 2, and col. 3 line 1 – col. 5 line 15.

Regarding dependent claims 7, 15, and 23, Jacobson teaches permitting the user within a branch of a hierarchy of categories to either include or exclude subcategories in the branch or both in fig. 1, 2, and col. 3 line 1 – col. 5 line 15.

Regarding dependent claims 8, 16, and 24, Jacobson teaches wherein the user may specify any subset of the plurality of topic categories by the user at any time, whereby the information is dynamically updated to correspond to the new subset in fig. 1, 2, and col. 3 line 1 – col. 5 line 15.

5. **Claims 2-4, 10-12, and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jacobson et al. (hereinafter “Jacobson”), US 5,970,489 filed 5/20/1997 in view of Fields et al. (hereinafter “Fields”), US 6,338,059 B1 12/17/1998 as applied to claims 1, 9, and 17 above, and further in view of Kelley et al. (hereinafter “Kelley”), US 6,209,007 B1 filed 11/26/1997.**

Regarding dependent claims 2, 10, and 18, Jacob teaches permitting a user to search and adjust one or more categories of the subset of pages maintained by the index server in fig. 1, col. 1 lines 52-63, and col. 2 line 33 – col. 3 line 50. Jacobson does not teach permitting the user to propose addition of a hypertext transmission protocol page to the index server in conjunction with one or more categories of the subset and automatically adding the proposed page to the index server wherein the user can search the proposed page via the link information and wherein

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initially other users will not search the proposed page even if searching the proposed one or more categories.

Kelley teaches permitting a user to propose addition of hypertext transmission protocol page to an index server and automatically adding the proposed page to the index server wherein the user can search the proposed page via the link information and wherein initially other users will not search the proposed page in fig. 10, col. 4 lines 19-23, and col. 9 lines 22-24. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the teachings of Jacobson, Fields, and Kelley to have created the claimed invention. It would have been obvious and desirable to have used the user URL index customization as taught by Kelley to have improved Jacobson and Fields so that the search index could have been customized as taught by Kelley in col. 4 line 19-23 and col. 9 lines 22-24.

Regarding dependent claims 3, 11, and 19, Jacob teaches permitting a user to search and adjust one or more categories of the subset of pages maintained by the index server in fig. 1, col. 1 lines 52-63, and col. 2 line 33 – col. 3 line 50. Jacobson does not teach verifying that a uniform resource locator address for the proposed page is valid and that the proposed page is not already indexed under the proposed one or more categories. Kelley teaches verifying that a uniform resource locator address for the proposed page is valid and that the proposed page is not already indexed under the proposed one or more categories in fig. 10, col. 4 lines 19-23, and col. 9 lines 22-24. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the teachings of Jacobson, Fields, and Kelley to have created the claimed invention. It would have been obvious and desirable to have used the user URL index customization as taught by Kelley to have improved Jacobson and Fields so that the

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search index could have been customized as taught by Kelley in col. 4 line 19-23 and col. 9 lines 22-24.

Regarding dependent claims 4, 12, and 20, Jacob teaches permitting a user to search and adjust one or more categories of the subset of pages maintained by the index server in fig. 1, col. 1 lines 52-63, and col. 2 line 33 – col. 3 line 50. Jacobson does not teach subsequently allowing other users to search the proposed page when searching one or more of the proposed one or more categories. Kelley teaches subsequently allowing other users to search the proposed page when searching one or more of the proposed one or more categories in fig. 10, col. 4 lines 19-23, and col. 9 lines 22-24. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined the teachings of Jacobson, Fields, and Kelley to have created the claimed invention. It would have been obvious and desirable to have used the user URL index customization as taught by Kelley to have improved Jacobson and Fields so that the search index could have been customized as taught by Kelley in col. 4 line 19-23 and col. 9 lines 22-24.

Response to Arguments

6. Applicant's arguments with respect to claims 1-24 have been considered but are moot in view of the new grounds of rejection. The Examiner has found the new prior art references of Jacobsen et al. which teaches pre-filtering to a subset of a hierarchical collection of documents prior to executing a keyword search and Fields et al. which teaches creating link information permitting execution of specific searches of an index server. The Examiner believes the combination of these references teaches the limitations of the invention as presently claimed.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Mears et al., US 6,438,580 B1 filed 3/30/1998 discloses an interactive knowledgebase. Bollay, US 6,457,009 B1 filed 11/9/1998 discloses searching multiple internet resident databases using search fields in a generic form. Sumita et al., US 6,073,170 filed 11/14/1997 discloses information filtering using topic management. Dayal, "Database Technology at a Crossroads", ACM Computing Surveys, volume 28, issue 4es, December 1996, pages 1 and 2 discloses an overview of database technology.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter J. Smith whose telephone number is 571-272-4101. The examiner can normally be reached on Mondays-Fridays 7:00am-3:30pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R. Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PJS

10/28/2005

William L. Bashore
WILLIAM BASHORE
PRIMARY EXAMINER
11/4/2005